

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DOMINGO COLON MONTANEZ,

Plaintiff,

v.

RICHARD KELLER, et al.,

Defendants.

CIVIL ACTION NO. 3:CV-13-2564

(JUDGE CAPUTO)

(MAGISTRATE JUDGE

MEHALCHICK)

ORDER

NOW, this 20th day of January, 2015, upon review of the Report and Recommendation of Magistrate Judge Karoline Mehalchick (Doc. 34) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 34) is **ADOPTED**.
- (2) Defendants' Motion to Dismiss (Doc. 25) is **GRANTED**.
- (3) Plaintiff's Complaint (Doc. 1) is **DISMISSED**, with leave to file an amended complaint within thirty (30) days. If Plaintiff fails to file an amended complaint within this period, his action will be dismissed **with prejudice**.
- (4) This matter is **RECOMMITTED** to Magistrate Judge Mehalchick for further proceedings.

**FILED
SCRANTON**

JAN 20 2015

Per 
DEPUTY CLERK



A. Richard Caputo
United States District Judge